#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Patent Application of

Atty Dkt. 1331-337

C# M#

Reid W. von Borstel

TC/A.U.

1623

Serial No. 09/838,136

Examiner: Ganapathy Krishnan

Filed: April 20, 2001

Date: December 17, 2004

Title:

COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL

DISEASES

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Fees are attached as calculated below:

Sir:

#### RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

## Correspondence Address Indication Form Attached.

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)

previously paid for $20$ (at least 20) = 0 x \$ 50.00	\$	0.00
Independent claims after amendment previously paid for 3 (at least 3) = 0 minus highest number 0 x \$ 200.00	\$	0.00
If proper multiple dependent claims now added for first time, add \$360.00 (ignore improper)	\$	0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00/1 month; \$450.00/2 months; \$1020.00/3 months)	\$	0.00
Terminal disclaimer enclosed, add \$ 130.00	\$	0.00
☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00) ☐ Please enter the previously unentered , filed ☐ Submission attached	\$	0.00
Subtota	\$	0.00
If "small entity," then enter half (1/2) of subtotal and subtract  Applicant claims "small entity" status.  Statement filed herewith	-\$	0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor Arlington, Virginia 22201-4714 Telephone: (703) 816-4000 Facsimile: (703) 816-4100

Assignment Recording Fee (\$40.00)

LCM:Ifm

Other:

NIXON & VANDERHYE P.C.

By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature:

\$

\$

**TOTAL FEE ENCLOSED \$** 

0.00

0.00

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Reid W. von Borstel

Atty. Ref.: 1331-337; Confirmation No. 2922

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**DISEASES** 

\* \* \* \* \* \* \* \* \*

December 17, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

### **SUPPLEMENTAL AMENDMENT**

Supplemental to the Amendment filed on December 15, 2004, please amend the above-identified application as follows: